Application No.: 09/825,139
Amendment dated: March 28, 2005
Reply to Office Action of December 2, 2004
Attorney Docket No.: 0016.0007US1

c.) Remarks

Claims 1-32 are pending in this application. Claims 11, 14, and 22-26 have been amended in various particulars as indicated hereinabove. New Claims 29-32 have been added to alternatively define Applicants' invention.

Issue of insufficient antecedent basis was noted with respect to claim 23. Claims 23-25 have been amended to change "apparatus" to "server" in the preamble. Thus, the rejection under 35 USC 112 as it applies to claim 23, and possibly 24 and 25, is believed to be overcome.

Claims 1-3, 10-11, 17-19 and 22 were rejected under 35 U.S.C. 102(e) as being anticipated by Lin et al. USPN (6,269,402). This rejection is respectfully traversed for the following reasons.

The Lin patent is directed to a system for providing seamless communication through a wireless system. As such information is embedded in messages between the client and server in order to assist the client and server in providing for secure delivery of digital information.

In contradistinction, the present claimed invention is directed to a system for the detection and filtering of undesirable packets. It is relevant to data network communications systems for the blocking of packets that may be associated with a denial of service attack, for example. In more detail, when packets are sent by a client device to a server, an independent determination is made as to whether the packets are part of a valid conversation between the client and server. The packets are then handled in response to that determination.

As a result, Applicants respectfully believe that the invention of claim 1 is not described by this prior art reference. Specifically, the claimed invention requires a step of independently determining whether the packet is part of a conversation between the client and the server based in part on persistent information included in the packet. The packet is then handled based in part on a result of that independent determination.

Claim 29 further refines the description. Here, if the packet is deemed to be part of a conversation between the client and server, it is forwarded, and the packet is dropped if it is deemed to be an undesirable packet that is part of a denial service attack. The applied reference does not show or suggest techniques for confronting denial service attacks as claimed.

In a somewhat similar vein, claim 11 is directed to a method in a server in which there is a determination of whether to forward or drop a packet through the network in response to the conversation identifier in order to protect the network against undesirable packets. The applied reference doesw not show or suggest this feature or even have a similar objective to drop packets in order to protect the network.

Simply, the applied reference does not deal with undesirable packets.

Claims 14-16 and 26-28 were rejected under 35 U.S.C. §102(e) as being anticipated by Bull et al. (U.S. Patent No. 6,799,270). This rejection is also respectfully traversed.

Here, the claim states that a conversation identifier is used to allow one or more intermediate routing devices to be able to independently determine whether to permit continued forwarding of the subsequent packet of the client device to the server.

While the Bull patent does discuss security, it does not apparently show or suggest that the conversation identifier should be used as a way protecting a server, for example, from receiving undesirable packets. In a similar vein, claim 17 requires a generation of a packet disposition signal that is based upon the determination of whether the packet is part of a conversation based on the persistent information in the packet.

Thus, Applicants believe that this rejection is also not merited.

Finally, claims 4-9, 12-13 and 21, 23-25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al. USPN (6,269,402) in view of Bull et al. USPN (6,799,270) and further in view of Primak et al. USPN (6,598,077). As noted above,

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neither the Lin nor the Bull patents show the basic principals of the present claimed invention. These arguments are not undermined by the Primak patent, which is merely shown for its description of a nonce.

Applicants also direct the Examiner's attention to new claims 29-32. Here, the use of the information in the packet is described as being used to stop undesirable packets and/or denial service attacks. These features are not shown by any of the applied references.

Applicants believe that the present application is in condition for allowance. A Notice of Allowance is respectfully solicited. Should any questions arise, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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